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# General Public School Laws

Passed at the

# Regular Session

of the

# Legislature

# 1911

Issued by the

Department of Education

Montgomery, Ala.

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The Brown Printing Company,
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No. 418.) AN ACT (S. 161.

To amend subdivision 7 of section 1678, Article 1, Chapter 41, of the Code of Alabama, 1907.

Section 1. *Be it enacted by the Legislature of Alabama.* That subdivision 7 of section 1678, Article 1, Chapter 41, of the code of Alabama of 1907 be amended so as to read as follows: 7, a further sum of five hundred thousand dollars ($500,000.00) annually for every scholastic year; provided, however, that there is hereby appropriated the additional sum of one hundred thousand ($100,000.00), annually if in the judgment of the governor of Alabama the financial condition of the State treasury will permit of such additional appropriation.

Sec. 2. That the provisions of this act shall become effective October 1st, 1911. Provided, that the annual excess of the appropriation herein made over the appropriation carried by existing laws, viz: the sum of $250,000 per annum, shall be paid only on the approval of the governor, who, as the state of the treasury in his opinion may warrant, may approve the same in whole or in part from time to time; provided, that if the governor shall fail to approve in any year the full amount of the appropriation made for that year he may, if the condition of the treasury warrant, approve in any subsequent year or years the difference between the amount appropriated and that paid.

Sec. 3. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved April 18, 1911.

No. 492.) AN ACT (H. 649.

To amend section 1734 of the Code of Alabama 1907.

*Be it enacted by the Legislature of Alabama,* That section 1734 of the code of Alabama, 1907, be amended so as to read as follows: 1734. (3577) (984) Branches of learning examined upon.—Applicants for third grade certificates shall be examined in the following branches: Orthography, reading, penmanship, grammar, practical arithmetic, United States history, geography, the elementary principles of physiology and hygiene and agriculture, and theory and practice of teaching; for second grade certificates they shall be examined in all the foregoing branches, with additional requirements in arithmetic, history of Alabama, English grammar and literature, intermediate geography, United States history and civics and class management; for the first grade certificates, they shall be examined in all the foregoing branches, and also in algebra, geometry, physics, elementary psychology, the school laws of Alabama, and advanced English; for life certificates, the history of education.

Approved April 18th, 1911.

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No. 485.) AN ACT (H. 217.

To authorize the sale and conveyance of certain lands which have been conveyed to the State for school purposes.

Section 1. *Be it enacted by the Legislature of Alabama,* That whenever the county board of education of any county shall certify to the superintendent of education of the State that it is

to the benefit of the public school interests of such county or a public school district thereof for any lands situated in such county or district which have been conveyed to the State of Alabama for school purposes under the provisions of article 20 or 31 of chapter 41 of the code of Alabama to be sold, particularly describing the same, the superintendent of education, upon receipt of such certificate, shall be and he is hereby authorized and empowered, with the approval of the governor, to sell and convey such land, either at public or private sale, and upon such consideration as may to him appear just and proper in the premises, and to execute a deed to the purchaser of the same in the name of the State of Alabama, and upon the delivery of such deed, the same shall divest all the right, title and interest of the State of Alabama in said land and invest it in such purchaser.

Sec. 2. That the proceeds of any sale of lands made under this act shall be by the superintendent of education paid to the county board of education of the county where such land is situated, or to the chief executive officer of said board. That said proceeds shall constitute a part of the public school fund of such county; provided, however, if said land was conveyed to the State under article 31 of chapter 41 of the code of Alabama, then such proceeds shall be used by said county board of education for the exclusive use of the public school district in which said land is located.

Approved April 18, 1911.

No. 269.) AN ACT (H. 244.

To prescribe the duties and powers and to fix the compensation of the county superintendents of education of the several counties of this State.

Section 1. *Be it enacted by the Legislature of Alabama,* That the duties and powers of the county superintendent of education shall be as follows: He shall have an office at the county site of his county, where he must, on every Saturday of each month except in the months of June, July and August, be present in person or by representative to transact business with the officers and teachers of the public schools. He shall examine into the condition of all school funds of his county, including the sixteenth section fund, and sixteenth section lands unsold in his county. He shall as soon as practicable, notify the district trustees of each district of the amount available as salaries of the several teachers in the district. He shall, when required by the county board of education, devote his entire time to the work of visiting and supervising the schools of the county when any of the public schools are in session, visiting all of the schools of the county as often as possible, and each of them at least once annually. When visiting a school, he shall notice carefully the condition of the school house, grounds and equipments, calling to the attention of the local trustees any apparent needs of the school. He shall observe the class work of each teacher and, when necessary, give model lessons for the benefit of the teacher. He shall encourage the organization of school improvement associations, and the building up of school libraries. He shall make, on blanks furnished by the State department of education, monthly reports to the county board of education, covering fully and in detail his work dur-

ing the preceding month, sending a duplicate report to the superintendent of education at Montgomery. He shall, on or before the fifteenth day of October of each year, forward to the superintendent of education, on blanks to be furnished him by the latter, an annual report covering the work of the public schools in his county for the preceding year, which shall set forth (1) The amount of school money paid into the hands of the treasurer of the county school funds and from what sources; (2) The amount disbursed by the treasurer and for what purpose; (3) What amounts of public school funds, if any, passed through his hands into the hands of the county treasurer of the public school funds and from what sources; and his annual report shall supply whatever information may be called for by the State superintendent of education touching the public schools of the county.

Sec. 2. Each county superintendent shall receive four per centum on all State public money legally disbursed in his county not to exceed the sum of eighteen hundred dollars for any calendar year; provided, if the county board of education of any county should, by a majority vote of the board, require the full time of the county superintendent in the discharge of the duties of his office, the said county board shall fix his compensation on a salary basis instead of a per centum on disbursements as otherwise provided in this section, and said salary shall be fixed at a sum not less than one thousand dollars per annum, payable in twelve equal monthly payments in the same manner and out of the same moneys as other teachers are paid, his name being placed on the pay roll with other teachers. To aid the county superintendent in the discharge of his duties, the county board of education may employ such assistants as they may deem neces-

sary. These assistants shall be paid in the same manner as other teachers of the county are paid.

Sec. 4. The provisions of this act shall become effective on the expiration of the terms of the county superintendents now in office. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved April 8th, 1911.

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No. 487.) AN ACT (H. 243.

To provide for the office of county treasurer of public school funds in the several counties of Alabama and to prescribe the duties thereof.

Section 1. *Be it enacted by the Legislature of Alabama*, That the county boards of education of the several counties in this State be and they are hereby authorized to select annually some suitable person in the county to act as treasurer of the public school funds of the county.

Sec. 2. The said treasurer of the school funds in each county shall receive and take charge of any money, funds, property or proceeds of any character, raised in his county by county taxation, or which may accrue to him or to the county from any gift, grant, bequest, devise, endowment or otherwise, to be used in aid of, or in connection with, money apportioned to his county from the educational fund, and shall faithfully keep the same separate and apart from any other funds or property whatsoever; and after the county board of education shall have apportioned the public school funds of the county, as in this code provided, he shall, upon the certified payroll of the county superintendent distribute

and pay out the money raised in accordance with this subdivision, but all money, raised by local taxation in any school district or incorporated city or town, shall be expended for the benefit of the district, city or town in which the money is raised, and by such persons, and in such manner, as are authorized by the laws in force for the control and government of public schools in such district, city or town.

Sec. 3. He must, monthly, on the first Saturday in each month of each year, or as soon thereafter as practicable, pay the teachers of the public schools, upon the certified payroll of the county superintendent of education. He shall give bond in twice the probable sum of public school money including any amounts of State school funds payable to him by the State treasurer which he may have on hand at any one time, said amount of bond to be fixed and to be approved by the State superintendent of education.

Sec. 4. For all money paid out under the terms of this act, the said treasurer shall keep proper vouchers subject to the inspection of the State examiner of accounts, or assistant examiner, and he shall make such annual reports as may be called for by the State superintendent of education.

Sec. 5. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved April 18th, 1911.

No. 538.) AN ACT (H. 285.

To amend section 1975, 1976, 1977, 1981, 1992, 1993 and 1989 of the code of Alabama 1907. Be it enacted by the Legislature of Alabama that sections 1975, 1976, 1977, 1981, 1992, 1993 and 1989 of the code of Alabama 1907 be and the same are amended as follows:

Section 1. That section 1975 be amended so as to read as follows: 1975. The sum of one thousand five hundred dollars shall be appropriated annually, or so much thereof as is necessary, out of the fund arising from the sale of fertilizer tags by the commissioner of agriculture and industries and from any other funds in the State treasury not otherwise expended, for the purpose of aiding in the erection, repairing and equipping of rural schoolhouses in this State.

Sec. 2. That section 1976 be amended so as to read as follows: 1976. Not more than fifteen hundred dollars of this appropriation shall be used or paid out in any one county of this State in a separate fiscal year; provided this shall not apply to any reapportioned balances as provided for in section 1992 of this act.

Sec. 3. That section 1977 be amended so as to read as follows: 1977. The district trustees of any school district, no part of which lies in an incorporated city, town or village, having secured bona fide donations or subscriptions of not less than one hundred dollars if for erecting and not less than twenty-five dollars if for repairing or equipping a public schoolhouse in their district, may make application to the county superintendent of education to receive the benefits of this article.

Sec. 4. That section 1981 be amended so as to read as follows: 1981. The amount so recom-

mended for any district shall in no case exceed the amount secured by donation and subscriptions; nor shall the total in any year for any schoolhouse exceed three hundred dollars.

Sec. 5. That section 1992 be amended so as to read as follows: 1992. If at the end of any fiscal year, the whole appropriation for that year has not been exhausted, the State auditor and the State treasurer shall carry the unexpended balance forward, and this balance shall be apportioned equally among the counties of the State in addition to the regular appropriation of fifteen hundred dollars for the current year.

Sec. 6. That section 1993 be amended so as to read as follows: 1993. The proceeds of all warrants issued under this article shall be used only for the erection or the repair or the equipping of public schoolhouses in the district for the benefit of which they shall be issued, and it shall be unlawful to use or apply the same to any other purpose, whatsoever.

Sec. 7. That section 1989 be amended so as to read as follows: 1989. Whenever it shall be shown to the satisfaction of the county superintendent of education that the erection, repairing or equipping of a public schoolhouse has been commenced and the amount of subscription or donation secured and a deed has been executed, conveying to the State of Alabama for the benefit of said district the lot or parcel of land on which said public schoolhouse is being erected or repaired, the county superintendent shall endorse and deliver to the district trustees said warrant and the amount or sum of money named in the same shall be paid to said trustees or to their successors in office, the proceeds of which shall be applied by the trustees to the building or repairing of the public schoolhouse for which such warrant was issued.

Sec. 8. That all laws and parts of laws in conflict with the provisions of this act be and they are hereby repealed.

Approved April 18, 1911.

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No. 498. AN ACT (H. 211.

To provide for the holding of teachers' institutes for teachers in this State and to make necessary appropriations for the same.

Section 1. *Be it enacted by the Legislature of Alabama*, That the sum of five thousand dollars ($5,000.00) be appropriated annually out of the general school fund, for the purpose of defraying the expenses of holding and conducting institutes for the white teachers of this State, and the further sum of fifteen hundred dollars ($1,500.00) be and the same is hereby appropriated out of the educational fund for defraying the expenses of holding institutes for the colored teachers of the State.

Sec. 2. Institutes for the white teachers shall be held for a period of one week in each county of the State, at such time as may be determined by the county board of education during the months of July, August, September or October; provided, that the county boards of education of two or more adjoining counties, may, by agreement, have conducted a joint institute for the counties participating in the agreement, at such a point as they may determine.

Sec. 3. There shall be conducted, for the colored teachers of the State, teachers institutes at such places and times, and under such management and direction as may be determined by the State superintendent of education, and the mon-

ey appropriated by this act, for the holding of institutes for the colored teachers, shall be so divided among the several places at which colored institutes are held as may, in the judgment of the superintendent of education, be fair and equitable, and secure the greatest good to the greatest number.

Sec. 4. The money appropriated by this act for the holding of institutes for the white teachers of the State, shall be apportioned by the superintendent of education to the several counties of the State in proportion or approximate proportion to the number of white teachers actually employed in the several counties of the State.

Sec. 5. It is hereby made the duty of the teachers to attend the institute which may be conducted in their own county for the benefit of teachers of the race to which they belong, unless such teachers are specifically excused from attending by the county superintendent, which excuse must be in writing and approved by the chairman of the county board. It is made the duty of the State superintendent of education to cancel the certificate of any teacher who may fail to attend an institute for a period of not less than four days of each year, unless such a teacher shall secure the written excuse signed by the county superintendent and approved by the chairman of the county board of education or unless such a teacher may convince the State superintendent of education that he has attended, for a period of not less than three weeks during the current year some educational institution during which time he was engaged in the work of professional training, either as a student or as a teacher, or unless he is the holder of a life grade State certificate.

Sec. 6. It is made the duty of each county superintendent of education to keep an accurate record of the attendance of all teachers during the institute, conducted for the teachers of his county, and to report the same to the State superintendent of education, showing the number of whole days which each teacher actually attended, provided that such time attended by each teacher shall not be counted as time taught nor shall any teacher receive any pay or compensation for attending an institute.

Sec. 7. Each teacher attending an institute shall pay to the county superintendent a fee of not less than fifty cents (50c) and not more than one dollar ($1.00) which shall be used in that particular county to supplement the State fund appropriated by this act for the maintenance of teachers' institutes.

Sec. 8. It is made the duty of the State superintendent of education to submit annually, in the months of June or July, through the county superintendents, to the several county boards a list of expert conductors of institutes whose services may be available and from this list each county board may select such conductor or conductors as they may desire, notifying the State superintendent of their choice; and if because of conflicting dates or other unavoidable conditions, neither the first nor second choices are able to be had, then it is made the duty of the State superintendent, through further agreement between him and the local county authorities to secure the best possible talent for conducting the institute. It is made the duty of the State superintendent of education to employ, with the fund appropriated by this act for that purpose, such conductors and teachers in the institutes held for the benefit of colored teachers, as will secure more benefit to the colored race by pre-

senting to them ideals more practical, methods more useful, results more desirable, benefits more wholesome.

Sec. 9. The conductors and teachers employed in county institutes shall impart such instruction to the teachers attending the institute, in the theory and in the art of teaching and kindred subjects, as will render them more efficient, more capable, more enthusiastic, more successful teachers.

Sec. 10. All laws and parts of laws, either general or special, otherwise providing for, or referring to teachers' institutes in this State be and the same are hereby repealed.

Approved April 18th, 1911.

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No. 345.) AN ACT (S. 222.

To provide for the establishment of libraries in the rural town and village schools of Alabama, to make an appropriation therefor, to provide for their maintenance and for their improvement, to authorize the commissioners' court or the board of revenue of the several counties to make an appropriation for the establishment and support of said libraries, and to provide rules and regulations under which said libraries shall be established and maintained.

*Be it enacted by the Legislature of Alabama*: Section 1. That the sum of one hundred dollars ($100.00) for each county, in all sixty-seven hundred dollars ($6,700.00) be and the same is hereby appropriated annually out of any moneys not otherwise appropriated for the purpose of establishing and maintaining libraries in the pub-

lic schools of Alabama; provided, that the provisions of this act shall not apply to any school located in a town or city of more than one thousand inhabitants.

Sec. 2. That any commissioners' court, or board of revenue, or other similar court in any county of this State be and the same is hereby authorized to appropriate not less than ten ($10.00) dollars, to each district public school in the county in any one year for the purpose of establishing, maintaining, enlarging, or improving public libraries in rural, village, or town schools; provided, that no appropriation shall be made to any school located in a town of more than one thousand inhabitants.

Sec. 3. That in order to obtain the benefits of the provisions of this act, the patrons or friends of any district school shall first raise a sum of not less than ten ($10.00) dollars, and deposit the said amount with the county superintendent of education. He shall within ten days, certify to the commissioners' court or other similar court or board of the said county, the fact of the said deposit, and request action thereon. Thereupon the said court or board shall at once, or at the first term following the receipt of the notice, consider the application, and shall either dismiss the same or make an appropriation of not less than ten ($10.00) dollars. If the appropriation shall be made, the probate judge or other presiding officer of the court or board shall on the same date certify the fact to the county superintendent of education, who shall immediately thereafter, transmit the same to the State superintendent of education. On receipt of notice the State superintendent shall make a requisition upon the State auditor for the sum of ten ($10.00) dollars, in order to meet such donation and appropriation. The said warrant shall be drawn in favor of the county treasurer of school

funds, to whom shall also be at once paid over by the county superintendent of education the amount first collected by voluntary subscription, and the sum appropriated by the county. An account of the said sums so received shall be kept separate; and they shall be paid out by him as hereinafter directed.

Sec. 4. That the State superintendent of education, with the assistance of the director of the department of archives and history, shall compile and publish a carefully selected and annotated list of books from which the libraries herein provided shall be chosen, and they shall also adopt and publish rules and regulations for the choice of books, their use, preservation and circulation, the erection of book shelves or book cases, and the equipment of library rooms or buildings, and the training of librarians or custodians for the libraries. The selections shall be as nearly as possible representative of the whole field of literature, and maximum prices for purchase shall be indicated.

Sec. 5. That the local board of trustees of the district in which the school is located, and to which a library is granted, shall constitute a library board charged with the administration of the library as other school property, and they are hereby charged with the same care and attention in connection therewith as of the school grounds, the school building or buildings, and the school equipment. They shall select the librarian or custodian, who shall be the teacher, if he or she will consent to act, and they shall see that the rules prescribed herein are carried out, but if the librarian is other than the teacher, such person shall be under the direction of the teacher as the representative of the district board of trustees. They shall provide a suitable book-case, or book-cases, with lock and key, for the preservation of the library.

Sec. 6. That the selection and purchase of the books from the authorized list shall be made by the district board of trustees, upon the recommendation of the teacher or of any patron or friend of the school. After the order therefor shall be placed, on receipt of notice of the delivery of the books, the county treasurer of school funds shall draw a warrant or check to cover the charges, including the freight. Vouchers or bills in duplicate shall be made out, one copy for the county treasurer of school funds, and one copy to be sent by the bookseller or dealer to the State superintendent of education.

Sec. 7. That all unexpended balances on the first day of October each year shall be reapportioned equally among all the counties of the State.

Sec. 8. That no person charged with any duties hereunder shall receive any compensation or commission for his or her services.

Sec. 9. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed. Provided this act shall take effect when in the opinion of the governor the condition of the State treasury will justify the appropriation herein provided for.

Approved April 13th, 1911.

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No. 483. AN ACT (H. 724.

To create a board of trustees for the government and control of the several State normal schools for whites, and for the making and enforcing of a course of study for the said State normal schools and for the rural schools of the State, and for the repealing of any general and special laws and provis-

ions of any charter or charters in conflict with the provisions of this act.

Section 1. *Be it enacted by the Legislature of Alabama,* That a board of eight members consisting of the governor, the superintendent of education and six members appointed by the governor be and the same are hereby created a board of trustees for the government, regulation and control of the several white normal schools of the State.

Sec. 2. The six appointive members appointed respectively for one year, two years, three years, four years, five years, and six years, with the superintendent of education and the governor, who shall be ex-officio chairman of the board, shall constitute the board of trustees for the government, control and regulation of the several white normal schools of the State. At the expiration of the term for which each trustee shall have been appointed, after the passage of this act, a trustee shall be appointed for a period of six years.

Sec. 3. It shall be the duty of the board to visit each school under its supervision at least once during each scholastic year for the purpose of making such inspection of its work and gathering such information as will enable said board to perform its duties intelligently and effectively.

Sec. 4. It shall be the duty of this board of trustees to require, as far as possible, the same course of study, the same educational standards and ideals for the said normal schools of the State; and to secure this end, the board of trustees may require, at the hands of a committee composed of presidents of the said normal schools, the preparation and submission of a proposed course of study, which may be adopted in

whole or in part by the board of trustees, and when so adopted, the said course of study, shall be maintained in those normal schools to which, under the direction of the board of trustees, the said course of study may apply.

Sec. 5. The said board of trustees shall have the power and it is made their duty to elect all presidents, or other officials, professors and other teachers employed in any of the normal schools and to fix their salaries. It is made the duty of the president of each school to nominate annually to the board of trustees such professors, teachers, officials and assistants as in his opinion will promote the best interests of the institution.

Sec. 6. The board of trustees, shall have the power to make such rules and regulations for the government of its own actions and for the regulation and control of the several normal schools of the State, as may be necessary for the enforcement of the provisions of this act.

Sec. 7. It is made the duty of the six appointive members of this board to make an official report to each legislature of Alabama. This report shall set forth briefly the condition, the progress and the needs of each of these schools and the report shall contain such other information and shall make such recommendations as the board may deem right and proper.

Sec. 8. It is hereby made the duty of the board of trustees of the State normal schools to meet at the call of the chairman or at the call of the State superintendent of education, who shall be the secretary of the board, and at such other times as may be indicated by request of the majority of the appointive members of the board.

Sec. 9. The members of the board of trustees shall serve without pay, except that they shall

be reimbursed from the funds of the State normal schools for their actual expenses incurred in attending meetings of the board.

Sec. 10. It is made the duty of the board of trustees to extend, as far as possible, the usefulness of the State normal schools, by providing for summer training courses for teachers, thus recognizing the importance of keeping these schools open at all times, for the training and improvement of the public school teachers of Alabama.

Sec. 11. All laws and parts of laws, whether general, special or charter, in conflict with the provisions of this act be and the same are hereby repealed.

Approved April 18, 1911.

*Note.—The following sections compose the law governing the county high schools of the State. Those in bold-face type are the sections as amended by the legislature of* 1911.

## ARTICLE 20.

## HIGH SCHOOLS FOR COUNTIES.

**1861. HIGH SCHOOL COMMISSION TO LOCATE AND ESTABLISH.** The governor, auditor and superintendent of education, shall constitute a commission to locate one high school in each of the counties of this State.

**1862. SITES PROCURED; ANNUAL DONATIONS PAID QUARTERLY.** For any county in which the citizens thereof shall secure a suitable site which shall consist of not less than five acres of land, the title to the surface of which shall be in fee (but the land need not include mineral rights) and erect thereon a good and substantial building with all the necessary equipments for a high school, the cost of said building to be not less than $5,000, and upon making a deed to the State of Alabama of said land, building and equipment, there shall be appropriated out of any money in the treasury, not otherwise appropriated, the sum of three thousand dollars and this appropriation is hereby made to continue annually, beginning July 1st 1911. Provided further that all appropriations made by the State and otherwise must be paid quarterly and in accordance with the rules and regulations made by the high school commission.

**1863. HIGH SCHOOL CONTROLLED BY HIGH SCHOOL COMMISSION AND COUNTY BOARD OF EDUCATION.** Each county high school of the State shall be under the direction and control of the county board of edu-

cation of the county in which the high school is located, but every action of the county board of education is subject to the approval of the high school commission. Provided further, that rules and regulations for the government of the county high schools of the State and the employment of the teachers in said county high schools shall be made by the high school commission.

1864. *Free schools and office of trustee not abolished.*—Nothing in this article shall be so construed as to abolish any free school in any district, or the office of trustee in any district in which said high school may be located.

1865. *Qualifications and eligibility of teachers and students.*—No teacher shall be eligible to teach in any high school established under the provisions of this article, unless holding a first-grade or life certificate. Nor shall any student be eligible to entrance into said high school unless said student can pass a satisfactory examination in the branches of free public instruction in the elementary schools of his or her county. Such schools shall be open to students of the white race regardless of age who have complied with the provisions of this section.

1866. *Course of Study.*—A course of study for such school or schools shall be provided and required by the superintendent of education; such course of study shall consist of secondary branches of study.

1867. *Matriculation fee.*—A matriculation fee of not more than two and one-half dollars to be fixed by the county board of education in which a county high school is or may hereafter be located and in operation, may be charged to each student entering said high school, to defray the necessary expenses of said high school during each term, provided a part of the matricula-

tion fees may be used for library purposes in said high school. All funds accruing from fees as provided herein, shall be paid out by the treasurer of the high school upon order from the principal of said school.

LIBRARY OF CONGRESS
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